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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,926	02/20/2004	Kuo-Chih Lee	250122-1250	7278

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EXAMINER

MAY, ROBERT J

ART UNIT PAPER NUMBER

2875

DATE MAILED: 01/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/783,926	Applicant(s) LEE ET AL.	
	Examiner Robert May	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 6-8 and 12 is/are rejected.
- 7) ☒ Claim(s) 3-5, 9-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 14 November 2005 regarding only amended Claims 1 & 7 have been fully considered but they are not persuasive.

The applicant alleges on Pg 8 of the remarks that one of ordinary skill would not be able to determine which portion of McGinty to employ in Moon to establish obviousness under U.S.C. 103. The examiner disagrees because one can clearly see in Figure 1 that the plurality of lamps have a first end and a second end which comprises an electrode or spade like terminal (7a, 7b) which reside directly in a V-shaped grooves to provide support for the lamps (Col 4, Lines 1-4). One of ordinary skill would look to McGinty as a way to support the lamps and modify the conductive elements 47b Moon in with the V-shaped grooves 10 as disclosed in McGinty.

The applicant further asserts on PG 8, 3rd paragraph that the examiner failed to show where either of the references disclose "a fourth fixed seat" element. Moon discloses a 3rd and 4th fixed seat in Figure 4, (43a, 43b) for fixing and supporting the luminescent lamps 31 together with the 1st and 2nd fixed seats (41a, 41b).

In response to applicant's argument on Pgs 8-9, that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one

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of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) And *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, one of ordinary skill would look to McGinty as a way of supporting the 1st and 2nd ends of each of the of the lamps in the V-shaped grooves 10 as disclosed by McGinty and modifying the semicircular shaped conductive element 47b of Moon with the V-shaped of McGinty.

In response to applicant's argument on Page 10, 4th paragraph down that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Therefore, for the reasons stated above, the rejection of Claims 1-2, 6-8, & 12 under 35 U.S.C. 103(a) over Moon in view of McGinty is maintained.

Claim Rejections - 35 USC § 103

Claims 1-2, 5-8, & 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moon as cited in the first non final office action and further in view of McGinty (as cited in the first office action).

Regarding Claims 1-2 and 7-8, Moon discloses in Figure 4 a 1st and 2nd fixed seat 55 having a plurality of grooves 55 which are inserted (Fig 5a, 55) for accommodating the 1st and 2nd ends of a plurality of lamps 31 that are parallel to one another, a 3rd and 4th fixed seat (43a, 43b) disposed on the 1st and 2nd end respectively of the lamps 31, and a 1st and 2nd conductive device having a plurality of scallops electrically connected each disposed in a corresponding groove of the 1st and 2nd fixed seat (Col 4, Lines 38-41). Furthermore, Moon discloses this assembly as being used as a direct backlight device for an LCD (Col 1, Lines 10-11, Col 2, Lines 46-48) therefore would be disposed to a rear of a display panel supplying light to the display panel.

Regarding Claims 1-2 & 7-8, Moon fails to disclose the 1st and 2nd conductive devices as having V-shaped scallops having a depth and area of each V-shaped scallop exceed a diameter of the lamp.

Regarding Claims 1-2 & 7-8, McGinty discloses in Figure 1, a heat radiation lamp assembly for a Furnace system wherein each end of the elongated lamps, which are in a parallel configuration having a spade-like terminals at two ends of the lamps, wherein each terminal of each lamp is secured in a v-shaped groove (10,11) of a fixed support structure (12,13) having a depth and area exceeding a diameter of the lamp (i.e. terminal) in order to provide support to the lamps (Col 4, Lines 2-4) and terminals. Therefore, it would be obvious to modify the shape of the 1st and 2nd conductive device from semicircular scallops to that of a v-shape with a depth and area exceeding a diameter of the lamp in order to support the lamps and or terminals of the lamps.

Regarding Claims 6 & 12, Moon discloses a plurality of fixed seats disposed between the groove of the 1st and 2nd fixed seat and the scallops of the 1st and 2nd conductive device respectively, but fails to disclose each fixed seat having a V-shaped internal side and disposed between the groove of the 1st and 2nd fixed seat that corresponding to each V-shaped scallop of the 1st and 2nd conductive device.

Regarding Claims 6 & 12, McGinty discloses v-shaped grooves (10,11) of a fixed support structure in order to support the lamps 31 and/or terminals (7a, 7b). It would be generally obvious to one of ordinary skill to have the plurality of fixed devices conform to the shape of each v-shaped scallop of the 1st and 2nd conductive device so that the parts mechanically mate together. Therefore, it would be obvious to one of ordinary skill to change each shape of the fixed devices 55 of Moon to a V-shape as shown in McGinty (10) in order to support the lamps and/or terminals of Moon and to have the fixed devices each conform to each V-shaped scallop of the 1st and 2nd conductive device so that they mechanically mate together.

Allowable Subject Matter

Claims 3-5 & 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding Claims 3 and 9, the prior art does not teach or suggest a backlight module as recited in Claims 1 & 7 respectively where a 1st and 2nd isolation layer is disposed between the 3rd and 4th fixed seat respectively.

Regarding Claims 4-5 & 10-11, the prior art does not teach or suggest a 3rd and 4th conductive device disposed between the first end of the lamp and the 3rd and 4th fixed seat respectively of the backlight module as recited in Claims 1 & 7 respectively.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert May whose telephone number is (571) 272-5919. The examiner can normally be reached between 9 am– 5:30pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval PAIR system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RM

1/11/2006



JOHN ANTHONY WARD
PRIMARY EXAMINER